

Brian N. Winn (State Bar No. 86779)
Winn Law Group, a Professional Corporation
110 E. Wilshire Avenue, Suite 212
Fullerton, CA 92832
Telephone: (714) 446-6686
Fax No.: (714) 446-6680
File No.: 09-24217
Attorney for Defendant
Winn Law Group, A P.C.

UNITED STATES DISTRICT COURT
FOR THE
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

RON SANCHEZ,	Civil Action No. SACV09-01212-CJC-MLG
Plaintiff,	DEFENDANT WINN LAW GROUP, A P.C.'S ANSWER TO PLAINTIFF'S COMPLAINT
vs	
WINN LAW GROUP, APC;	
Defendants,	

VERIFIED ANSWER

Defendant WINN LAW GROUP, APC ("WINN") hereby responds to the verified complaint filed by Plaintiff, RON SANCHEZ ("SANCHEZ") as follows:

INTRODUCTION

1. WINN admits the allegations contained in Paragraph 1 of the verified complaint.

JURISDICTION AND VENUE

2. WINN admits the allegations contained in Paragraph 2 of the verified complaint.
3. WINN admits the allegations contained in Paragraph 3 of the verified complaint.
4. WINN admits the allegations contained in Paragraph 4 of the verified complaint.

- 1 5. WINN lacks sufficient information and belief as to the allegations contained in Paragraph 5 of
2 the verified complaint and on that basis denies those allegations.

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4 **PARTIES**

- 5 6. WINN admits the allegations contained in Paragraph 6 of the verified complaint.
6 7. WINN admits the allegations contained in Paragraph 7 of the verified complaint.
7 8. WINN admits the allegations contained in Paragraph 8 of the verified complaint.
8 9. WINN admits the allegations contained in Paragraph 9 of the verified complaint to the extent
9 that WINN has an office in California; WINN denies all other allegations contained in
10 Paragraph 9 of the verified complaint.
11 10. WINN lacks sufficient information and belief with respect to the allegations contained in
12 Paragraph 10 of the verified complaint and on that basis denies the allegations contained
13 therein.
14

15 **FACTUAL ALLEGATIONS**

- 16 11. WINN denies the allegations contained in Paragraph 11 of the verified complaint.
17 12. WINN denies the allegations contained in Paragraph 12 of the verified complaint.
18 13. WINN denies the allegations contained in Paragraph 13 of the verified complaint.
19 14. WINN denies the allegations contained in Paragraph 14 of the verified complaint.
20 15. WINN denies the allegations contained in Paragraph 15 of the verified complaint.
21 16. WINN admits the allegations contained in Paragraph 16 of the verified complaint to the extent
22 that WINN faxed an employment verification letter to SANCHEZ' employer. WINN lacks
23 sufficient information and belief to respond to all other allegations of Paragraph 16 of the
24 verified complaint and on that basis denies those allegations contained therein.
25 17. WINN denies the allegations contained in Paragraph 17 of the verified complaint.
26 18. WINN denies the allegations contained in Paragraph 18 of the verified complaint.
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1 19. WINN denies the allegations contained in Paragraph 19 of the verified complaint.

2 20. WINN denies the allegations contained in Paragraph 20 of the verified complaint.

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4 **COUNT I**
5 **DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

6 21. WINN denies the allegations contained in Paragraph 21 of the verified complaint.

7 a. WINN denies the allegations contained in Paragraph 21a of the verified complaint.

8 b. WINN denies the allegations contained in Paragraph 21b of the verified complaint.

9 c. WINN denies the allegations contained in Paragraph 21c of the verified complaint.

10 d. WINN denies the allegations contained in Paragraph 21d of the verified complaint.

11 e. WINN denies the allegations contained in Paragraph 21e of the verified complaint.

12 f. WINN denies the allegations contained in Paragraph 21f of the verified complaint.

13 g. WINN denies the allegations contained in Paragraph 21g of the verified complaint.

14 h. WINN denies the allegations contained in Paragraph 21h of the verified complaint.

15 i. WINN denies the allegations contained in Paragraph 21i of the verified complaint.

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18 **COUNT II**
19 **DEFENDANT VIOLATED THE ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT**
20 **(RFDC), Cal. Cic. Code §1788 et seq.**

21 22. WINN denies the allegations contained in Paragraph 27 of the verified complaint.

22 23. WINN denies the allegations contained in Paragraph 28 of the verified complaint.

23 a. WINN denies the allegations contained in Paragraph 28a of the verified complaint.

24 e. WINN denies the allegations contained in Paragraph 28e of the verified complaint.

25 f. WINN denies the allegations contained in Paragraph 28f of the verified complaint.

26 g. WINN denies the allegations contained in Paragraph 28g of the verified complaint.

27 i. WINN denies the allegations contained in Paragraph 28i of the verified complaint.

AFFIRMATIVE DEFENSES

Failure to State a Claim

24. The complaint fails to state a claim upon which relief can be granted. (FRCP 12(b)(6)).

Statute of Limitations

25. WINN alleges that any events alleged by SANCHEZ occurred, if at all, more than one year prior to the filing of the instant lawsuit and consequently is barred by the applicable statute of limitations.

PRAYER

Defendant prays for relief as follows:

1. That Plaintiff take nothing by the way of its complaint;
2. That Defendants recover all expenses, attorneys' fees, and costs of suit incurred in their defense of this action to the extent allowed by law; and
3. That this court award such other and further relief as it deems just and equitable under the circumstances.

Dated: 4/13/10

By: 

BRIAN N. WINN, ESQ.
110 E. Wilshire Ave., Suite 212
Fullerton, Ca. 92832
brian_winn@winnlawgroup.com
714-446-6686 ext 202
Attorney for Defendant
Winn Law Group, A P.C.

VERIFICATION

I Brian N. Winn am the managing partner for Defendant in this proceeding. I have read the foregoing Answer and know the contents thereof. The same is true of my own knowledge, except as to those matters which are alleged on information and belief, and, as to those matters, I believe them to be true.

I declare under the penalty of perjury that the foregoing is true and correct and this was executed on

4/13/10 at Fullerton, California.



Brian N. Winn
Managing Partner for
Defendant *Winn Law Group, A P.C.*

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing ANSWER TO COMPLAINT on

George Thomas Martin III, Esq.
Krohn & Moss, Ltd
10474 Santa Monica Blvd #401
Los Angeles, CA 90025

Attorney for Plaintiff

by causing a full, true, and correct copy thereof to be set by the following methods on the date set forth below:

 x by **E-notification pursuant to L.R. 5-3.1; 5-3.2; 5-3.3.**

 x by **mailing** in a sealed, first class postage-prepaid envelope an deposited with the United States Postal Service at Fullerton, California on all parties.

 by **hand delivery** to _____.

 by sending via **overnight courier** in a sealed prepaid envelope to:

DATED: April 13, 2010

WINN LAW GROUP, APC

By: /s/ Brian N. Winn
Brian N. Winn, SBN 86779

714-446-6686

Attorney for Defendant Winn Law
Group, APC